



**Writer's Direct Dial  
(202) 216-8272**

April 11, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th St., S.W., Room TWB-204  
Washington, D.C. 20554

Re: Notice of *Ex Parte* Presentation in CG Docket No. 02-278

Dear Ms. Dortch:

On April 11, 2003, Jerry Cerasale of The Direct Marketing Association ("DMA") and Ian D. Volner, Heather L. McDowell, and Ronald M. Jacobs of Venable, discussed the Commission's rules implementing the Telephone Consumer Protection Act of 1991 ("TCPA") with Commissioner Jonathan S. Adelstein and Johanna Mikes of the Federal Communications Commission.

During the meeting, we discussed the DMA's position, as stated in its comments and reply comments filed in this proceeding, on the creation of a national do-not-call list and its interaction with both the Federal Trade Commission's list and state do-not-call lists. We also discussed DMA's comments and reply comments on the conflicts between the FTC's rules regarding "predictive dialers" and the TCPA's ban on recorded messages. Finally, we discussed the regulation of caller-ID as outlined in our pleadings in this docket.

In accordance with the Commission's rules, a copy of this letter is being filed electronically for inclusion in the public record of the above-reference proceeding.

Respectfully submitted,

/s/

Kerri Congdon

cc: Commissioner Jonathan S. Adelstein  
Johanna Mikes  
Jerry Cerasale